

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DEACON O'NEILL and
CAMERON O'NEILL, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

V

SARAH AUSTIN,

Respondent-Appellant,

and

PAUL O'NEILL,

Respondent.

UNPUBLISHED

August 15, 2006

No. 268760

Jackson Circuit Court

Family Division

LC No. 04-003490-NA

Before: Whitbeck, CJ., and Hoekstra and Wilder, JJ.

MEMORANDUM.

Respondent-appellant, Sarah Austin, appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Respondent-appellant contends that the statutory grounds for termination of her parental rights were not established by clear and convincing evidence. We disagree. The lower court terminated respondent-appellant's parental rights pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). At the time of trial, the evidence showed respondent-appellant had not adequately addressed her substance abuse issues, had not improved her parenting skills to the point where she could safely parent her children, and had continued to reside with an inappropriate boyfriend who refused to participate in services. Further, respondent-appellant had not maintained employment and suitable housing. Because there was clear and convincing evidence to support termination of respondent-appellant's parental rights pursuant to MCL 712A.19b(3)(c)(i), (g) and (j), we find no error. MCR 3.977(J).

Next, respondent-appellant argues that the court erred when it found that the evidence did not clearly show that termination of her parental rights was not in the children's best interests.

MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000). We disagree. Because the children would be at risk if returned to their mother's care and they were at an age where permanency was critical, there did not exist evidence that termination would not be in the children's best interests.

Affirmed.

/s/ William C. Whitbeck

/s/ Joel P. Hoekstra

/s/ Kurtis T. Wilder